

ADMINISTRATIVE DIRECTIVE 4.4

LEAVE ADMINISTRATION

Effective Date: June 1, 2007

Revision Date(s):

I. PURPOSE

This administrative directive defines and provides guidelines for the types of leave available to City of San Antonio civilian employees.

II. POLICY

The City of San Antonio allows civilian full-time employees to accrue and take leave for vacation, holidays, illness or other personal matters. The City also has additional leave benefits for paid and unpaid leave. This administrative directive does not apply to uniformed employees under collective bargaining agreements and trainees attending the Police and Fire Academies.

It is intended that the Annual Leave and Personal Leave provided by this policy to employees may be used for and shall comply with any federal or state law requirement to provide paid sick/medical leave.

III. DEFINITIONS

- A. **Anniversary Date** – the annual date coinciding with an employee's date of hire into a full-time position.
- B. **Calendar Year** – the annual period from January 1st through December 31st.
- C. **Civilian Employee** – any employee not a member of the uniformed service in the San Antonio Police and Fire Departments.
- D. **Civil Service Employee** – a City employee who is covered by Municipal Civil Service as provided in the City Charter of San Antonio, Article VI.
- E. **Fiscal Year** – the annual period from October 1st through September 30th.
- F. **Mandatory Work Cycles** – periods established by a department in accordance with Administrative Directive 4.2, Workplace Attendance, during which requests for leave shall not be granted due to anticipated workload demand.
- G. **Separation** – the date an employee retires, resigns, dies, or is dismissed from employment with the City of San Antonio.

IV. POLICY GUIDELINES

- A. The City provides the following accrued leave for *civilian employees* (unless specified, these provisions apply to full-time civilian employees only):
 - 1. **Annual Leave**: Provided for vacation, illness, or to attend to personal matters, this leave accrues monthly on the employee's *anniversary date* following completion of the initial six month employment period. Non-Executive employees accrue a maximum of 400 hours per *calendar year*. Unused balances may be carried over to the next *calendar year* up to a

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maximum of 400 hours--employees on approved Family and Medical Leave, Extended Sick Leave (short term disability), Workers' Compensation, and Military Leave may carry over to the next **calendar year** amounts greater than 400 hours. Annual Leave is paid out at the time of the employee's separation, with up to 400 hours paid for Non-Executive employees.

A Civil Service employee with a suspension of five workdays or less may utilize Annual Leave to substitute for leave without pay (LWOP) and forgo his/her appeal process. An employee shall only be allowed one substitution per **fiscal year**.

YEARS OF SERVICE	ANNUAL LEAVE ACCRUAL												
	YEARLY ACCRUAL (days/hrs)	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10	Month 11	Month 12*
Less than < 1 yr	5 days/ 40 hours	00	00	00	00	00	00	06	06	06	06	06	10
1 yr < 5 yrs	12 days/ 96 hours	08	08	08	08	08	08	08	08	08	08	08	08
5 yrs < 10 yrs	14 days/ 112 hours	09	09	09	09	09	09	09	09	09	09	09	13
10 yrs < 15 yrs	16 days/ 128 hours	10	10	10	10	10	10	10	10	10	10	10	18
15 yrs < 20 yrs	18 days/ 144 hours	12	12	12	12	12	12	12	12	12	12	12	12
20 yrs < 25 yrs	20 days/ 160 hours	13	13	13	13	13	13	13	13	13	13	13	17
25 yrs and above	22 days/ 176 hours	14	14	14	14	14	14	14	14	14	14	14	22

*Month 12 is the month of the employee's anniversary date of hire

2. **Personal Leave:** Provided for vacation, illness or to attend to personal matters, this leave accrues on a quarterly basis. New employees are granted 40 hours of Personal Leave upon completion of their initial six month employment period. Thereafter, the employee will receive Personal Leave each January, April, July, and October after the completion of their twelve (12) months of employment.

Personal Leave accruals must be used within a **calendar year**, with unused hours forfeited or sold if eligible to be bought back by the City in December of each year. Employees, who have not yet completed their initial 12 months of employment by December 31st, may carry over their Personal Leave balance to the following year.

Example: An employee is hired on March 8th and will complete nine months of service as of December 31st of that year. Since the employee does not have a full year of service in December, he/she may carry over Personal Leave hours to the following year.

Eligible employees may "sell back" to the City a portion of unused Personal Leave hours in December of each year. To be eligible to participate in the buy-back, individuals must be

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employed on the date the buyback checks are issued. Personal Leave hours less than one hour will not be paid out and must be used or forfeited.

The number of Personal Leave hours an employee accrues throughout the year is based on years of service as of January 1st of each year and is fixed for that *calendar year*.

Example: A three year employee reaches 4 years of service on July 30th. The employee will continue to accrue 14 hours (rate of hours accrued for 3 years < 4 years) of Personal Leave until January 1st of the following year. On January 1st, the employee will accrue 16 hours (rate of hours accrued for 4 years < 5 years) of Personal Leave quarterly.

Accrual and buy-back hours are as indicated in the PERSONAL LEAVE chart.

PERSONAL LEAVE			
<u>ACCRUAL TABLE –</u> <u>YEARS OF</u> <u>EMPLOYMENT</u> (As of January 1st of the current year)	<u>ACCRUAL TABLE –</u> <u>HOURS ACCRUED</u> <u>PER QUARTER</u> (January, April, July, & October)	<u>ACCRUAL TABLE –</u> <u>DAYS/HOURS</u> <u>ACCRUED PER</u> <u>YEAR</u>	<u>HOURS ELIGIBLE</u> <u>FOR BUY-BACK</u>
Less than 6 months	0 hours	0 days/0 hours	0 hours
6 months < 1 year	0 hours	5 days/40 hours	0 hours
1 year < 2 years	10 hours	5 days/40 hours	16 hours
2 years < 3 years	12 hours	6 days/48 hours	32 hours
3 years < 4 years	14 hours	7 days/56 hours	48 hours
4 years < 5 years	16 hours	8 days/64 hours	64 hours
5 years < 6 years	18 hours	9 days/72 hours	72 hours
6 years < 7 years	18 hours	9 days/72 hours	72 hours
7 years < 8 years	18 hours	9 days/72 hours	72 hours
8 years < 9 years	18 hours	9 days/72 hours	72 hours
9 years < 10 years	20 hours	10 days/80 hours	80 hours
10 years and above	20 hours	10 days/80 hours	80 hours

Any Personal Leave balances remaining at the time of an employee's *separation* will be forfeited and not paid.

Employees on Family and Medical Leave, Extended Sick Leave (short-term disability), and Workers' Compensation that are eligible to participate in the buy-back process may participate in December, of each year. Employees on military deployment that meet the eligibility criteria will receive their buy-back upon their return.

3. Holidays: The holiday schedule is approved by the City Council each *fiscal year* with the adopted budget and typically includes 12 scheduled holidays and one floating holiday. The Floating Holiday is credited to employees at the beginning of each *fiscal year*.

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To receive payment for a scheduled Holiday, an employee must work the day before and the day after the Holiday, unless the employee is on scheduled Annual Leave, scheduled Personal Leave, scheduled Incentive Leave, scheduled Administrative Leave with Pay, Family and Medical Leave, Military Leave, or Extended Sick Leave (short-term disability).

The Holiday shall be determined based on the employee's work schedule. If the employee works an 8 hour day, the Holiday will be paid or banked at 8 hours. For employees that work a 10 hour schedule, the holiday will be paid or banked at 10 hours.

- a. Alternate Holiday Schedule: Departments may create an Alternate Holiday Schedule to accommodate **mandatory work cycles** for employees required to work on regular holidays. The Alternate Holiday dates must be after the approved City Council Holiday dates. Employees working on a regular Holiday or an Alternate Holiday will get paid at straight time if they worked 40 hours or less. Employees who worked on a Holiday or Alternate Holiday have the option to bank or be paid for the Holiday (refer to Section b. Banked Holidays.)

Prior to October 5th of each year, the Alternate Holiday Schedule must be reviewed by the Human Resources Department and approved by the City Manager's Office. Departments are required to inform the affected employees in writing of the Alternate Holiday Schedules and must post the Alternate Holiday Schedule on worksite bulletin boards.

- b. Banked Holidays: Non-Exempt (hourly) employees who work on an approved holiday (regular or alternate) may elect to be paid for the holiday in lieu of time off. Employees must fill out the Worked Holiday Payment Election Request (refer to form at <http://cosaweb/isd/formnet>) and forward the request to the departmental Time Administrator. This selection must be done no later than one workweek after the worked holiday. The holiday payment will be made no later than two paychecks following the pay period after the holiday occurred. In the absence of such a request, the holiday will be "banked" to be used by the employee prior to the end of the **fiscal year**. Any unused banked holiday will be paid out to the employee at the end of the **fiscal year**, or upon separation if the employee separates prior to the end of the **fiscal year**.

An Exempt (salaried) employee must get written approval from the supervisor to be allowed to work and bank a Holiday. The Banked Holiday must be used prior to the end of the **fiscal year** – unused holidays will be forfeited at the end of the **fiscal year**.

- c. Floating Holiday: The Floating Holiday can be used for any date selected by the employee provided supervisory approval is obtained for time off. In addition, **civilian employees** who are eligible to be assessed attendance points in accordance with Administrative Directive 4.2, Workplace Attendance will receive an additional Floating Holiday if their attendance points are three points or less during the prior **fiscal year**. The additional Floating Holiday will be effective on October 1st. All floating holidays must be used within the **fiscal year** awarded - unused floating holidays are forfeited at the end of the **fiscal year** and are not paid out.

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4. Compensatory Time: Non-Exempt (hourly) employees working in excess of 40 hours in one work-week are entitled to overtime under the Fair Labor Standards Act (FLSA), as amended, at the rate of one and one-half the employee's hourly rate of pay. The City may provide "compensatory" time in lieu of overtime payments, up to a maximum accrual of 150 hours (equivalent to 100 hours of time actually worked), with time accrued above this limit paid out at the employee current pay rate. Upon transfer and/or *separation*, payments of accrual compensatory time hours are calculated at the average rate of pay for the last three years of employment, or the last regular rate received by the employee, whichever is greater.

Departments have the discretion to pay overtime earned for non-exempt (hourly) employees or allow them the time-off, in accordance with FLSA requirements.

With the exception of Incentive Leave and Annual Leave in excess of 360 hours, employees must utilize accrued compensatory time hours prior to other types of leave. For additional information on Compensatory Time, refer to Administrative Directive 4.48, Compensation Under the Fair Labor Standards Act or contact the departmental Human Resources Generalist.

5. Incentive Leave: Employees may be granted paid leave for awards and/or events such as blood donation drives, employee recognition programs (i.e. San Antonio Star Awards), safety programs, and all other awards and/or events as designated by the City Manager. Employees who have been assessed 20 or more points in an attendance cycle based on Administrative Directive 4.2, Workplace Attendance, are not eligible for Incentive Leave. Employees must utilize accrued Incentive Leave hours prior to any other types of leave, with the exception of Compensatory Time for Non-Exempt (hourly) employees.

All Incentive Leave hours must be used within the *fiscal year* in which they are earned – any incentive leave remaining at the end of the *fiscal year* will be forfeited and not paid.

- a. Blood Donation Hours: Full-time and part-time employees can receive four Incentive Leave hours for donating blood during City-sponsored blood drives up to a maximum of eight hours per *fiscal year*. Employees are responsible for returning to work within a reasonable amount of time once they have donated blood. Participating employees must obtain supervisory approval to schedule this time away from work. Upon donation of the blood, employees will provide the original blood donation voucher to their departmental Human Resources Specialist and a copy to their supervisor.
- b. Employee Recognition Awards: Employees who receive a San Antonio Star Award are awarded eight hours of Incentive Leave. For additional information regarding the Star Award Program, refer to the City of San Antonio's *cosaweb*/Human Resources page.
- c. Safety Awards: Dependent on citywide and/or safety program policies reviewed and approved by the Human Resources Department, employees may receive Incentive Leave hours for supporting Safety Programs.

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6. Banked Sick Leave: Full-time employees who accrued Banked Sick Leave prior to January 1, 1985 may utilize this leave only in conjunction with the Extended Sick Leave Program. Banked Sick Leave is not paid upon *separation* from the City, unless specifically authorized by City Council.
- B. The City of San Antonio also provides various types of non-accrued leave as an additional benefit to employees. This leave is not banked or carried forward, nor is it paid at the end of the *fiscal year*, or upon *separation*.
1. Administrative Leave: Full-time and part-time employees may be granted paid Administrative Leave by the Department Director to attend work-related training events/travel, and other meetings which are determined to be advantageous to the City. Administrative Leave must be requested in advance and supported with appropriate documentation.
 2. Funeral Leave: Full-time and part-time employees may receive paid leave for up to three working days to be used in the event of the death of a father, step-father, father-in-law, mother, step-mother, mother-in-law, sister, step-sister, brother, step-brother, spouse, child, or other relative who was the legal guardian of the employee or for whom the employee had legal guardianship. The department may require employees to provide appropriate documentation within three working days of the employee's return to work. Employees will not be assessed absence points while on Funeral Leave (refer to Administrative Directive 4.2, Workplace Attendance.)
 3. Memorial Service Leave: Full-time and part-time employees may receive up to four hours of paid leave to serve as pall bearers or in another official capacity at funerals in three events per fiscal year, provided such service is not for compensation, is requested before the end of the work day preceding the absence, and is supported by appropriate documentation. The four hours include travel time to the funeral service – if additional time is necessary, employees must use their accrued leave or may request leave without pay (LWOP.)
 4. Jury Duty Leave: Full-time and part-time employees may receive paid leave to perform jury duty service and when subpoenaed for City business. Jury Duty compensation may be retained by the employee in addition to their regular pay. Employees working shift schedules may be granted an additional eight hours of leave to adjust their sleeping patterns if the employee's scheduled shift begins or ends within eight hours of their jury duty reporting time. This will also apply for subpoenaed employees scheduled to attend a hearing.

Employees returning from Jury Duty are required to comply with their Departmental Attendance Procedures (refer to Administrative Directive 4.2, Workplace Attendance).
 5. Discretionary Leave: At the discretion of a Department Director, Exempt (salaried) full-time employees may receive Discretionary Leave in lieu of other requested paid/unpaid leave. An employee cannot request Discretionary Leave – this leave can only be awarded after the employee has submitted a Notice of Leave request for other paid or unpaid leave.
 6. Military Leave: Full-time and part-time employees who are members of the United States Military are granted 120 hours of leave within a *fiscal year*. These hours are to be used within the same year for voluntary or involuntary duty (i.e. basic training, active duty

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training, inactive duty training, weekend drills, funeral honors duty performed by National Guard and Reserve members, etc.). Employees attending weekend drills shall provide their supervisor with their training drill schedule at the start of each *fiscal year*. Employees on military orders shall provide a copy of their order(s) prior to attending training and upon completion of the training, shall submit a copy of the certified order or applicable documentation. Supervisors may verify the training schedules with applicable military installations. Eligible employees will continue to accrue Annual, Personal, and Holiday Leave while on Military Leave.

Employees who are called on military service for an extended period of time, shall provide copies of their military orders to their supervisors and contact their departmental Human Resources Specialist to coordinate the processing of required documentation (i.e. payroll election, benefits, etc.) upon activation and deactivation of deployment.

Employees returning from military duty are eligible to receive pay or bank their Annual Leave and Personal Leave hours, and any other compensation that they would have accrued during their military activation. Holiday Leave will be paid out to the employee.

Military compensation may be retained by the employee in addition to their regular pay of 120 hours and/or their leave accruals. For additional information regarding the City's Military Program, contact the departmental Human Resources Generalist. For information regarding the Uniformed Services Employment and Reemployment Rights Act (USERRA), contact <http://www.dol.gov>.

7. Family and Medical Leave: Eligible employees are entitled up to 12 workweeks of unpaid leave and job protection under the Family and Medical Leave Act (FMLA) of 1993. To be eligible, employees must have been employed with the City for the past 12 months (need not be consecutive) and have actually worked 1,250 hours in the past 12 months prior to the commencement of the requested leave. Employees on Family and Medical Leave are required to substitute accrued Annual Leave, Personal Leave, Holidays, and Incentive Leave hours to substitute for unpaid leave; however, employees may not use Compensatory Time hours.

Employees will continue to accrue Annual Leave, Personal Leave, Holidays, and Incentive Leave. Employees will not be assessed attendance points while on Family and Medical Leave (refer to Administrative Directive 4.2, Workplace Attendance). For additional information on the Family and Medical Leave, refer to Administrative Directive 4.20, Family and Medical Leave Act of 1993, or contact the departmental Human Resources Specialist.

8. Extended Sick Leave: Eligible full-time civilian employees injured outside the working environment or with a qualified illness are allowed up to 52 weeks of disability benefits. Employees on short-term disability will continue to accrue Annual Leave, Personal Leave, and Holiday Leave. Employees on short-term disability (FMLA or Non-FMLA) will receive Holiday pay.

If an employee is on leave without pay (LWOP) during the short-term disability qualifying period, the employee will not receive Holiday pay. Employees on long-term disability do not accrue Annual Leave, Personal Leave, and Holiday Leave. For additional information, refer

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to Administrative Directive 4.18, Extended Sick Leave Program, or contact the departmental Human Resources Specialist.

9. Workers' Compensation: The Workers' Compensation Act covers employees who suffer on-the-job physical injuries and/or occupational diseases arising in the course of employment. While on Workers' Compensation Leave, employees will accrue Annual Leave and Personal Leave only. Employees on Workers' Compensation receive payment for a full week's value; therefore, they do not receive Holiday pay. Employees will receive their Annual Leave and Personal Leave accruals upon their return to work. For additional information, refer to Administrative Directive 4.84, Workers' Compensation, or contact the departmental Human Resources Specialist.
 10. Catastrophic Leave Program: Full-time civilian and uniformed employees experiencing a life-threatening situation (i.e. fire, tornado, etc.) and/or severe medical condition can receive Annual Leave or Personal Leave donated hours from other full-time civilian and uniformed employees. Catastrophic leave donations may be made to employees in other Departments or funds. The Personnel Action Request Form (refer to form at <http://cosaweb/isd/formnet/>) must be completed by the department and submitted to the departmental Human Resources Generalist or Human Resources Specialist to initiate a request of Catastrophic Leave. All requests must be approved by the receiving employee's Department Director and the Human Resources Director. Upon completion of participation in the Catastrophic Leave Program, any unused donated hours by the recipient will be forfeited.
- C. Employees with no leave balances must have approval from their Department Director for unpaid absences (leave without pay/LWOP), unless the employee is on approved Family and Medical Leave. Department Directors may approve unpaid leaves of absences for periods not to exceed 40 consecutive hours. Unpaid leaves of absences for periods beyond 40 consecutive hours require the approval of the City Manager's Office.
- While on leave without pay/LWOP or unscheduled absences – other than Military Leave, Family and Medical Leave, Extended Sick Leave (short-term disability) and Workers' Compensation – employees will cease to accrue Annual Leave and Personal Leave, unless they receive pay for 10 days or more in any given month.
- D. All disciplinary actions, including dismissal, resulting from the administration of this policy or other personnel matters shall be coordinated through the departmental Human Resources Generalist or the Human Resources Department.
- E. Upon **separation**, Non-Exempt (hourly) employees will receive pay for unused Compensatory Time, Annual Leave (maximum accrual of 400 hours), and Banked Holidays. Exempt (salaried) employees will only be paid for Annual Leave (maximum accrual of 400 hours for Non-Executives).

Other leaves including Personal Leave, Incentive Leave, or Bank Sick Leave, and Floating Holidays are not paid to the employees upon **separation** from the City of San Antonio.

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V. RESPONSIBILITIES

All Employees

- A. Employees are expected to manage their accrued leave balances responsibly and request all leaves of absences on a *Notice of Leave* form (refer to form at <http://cosaweb/isd/formnet/>).
- B. Employees are required to report leave balance discrepancies or other leave errors to their supervisors and Time Administrators as soon as possible.
- C. Employees are required to sign the attached Acknowledgement of Receipt Form (Attachment A) and comply with this directive.
- D. Military employees are responsible for contacting their departmental Human Resources Specialist for processing the required documentation (i.e., payroll election, benefits, etc.) for military deployments.

Departments

- A. Departments shall provide all employees with copies of this administrative directive and require from the employees the signed Acknowledgement of Receipt Form (Attachment A). The signed form will be forwarded within 30 days to the Human Resources Department for filing in the employee's Permanent 201 File.
- B. Department Directors requiring employees to work on an Alternate Holiday Schedule must submit their request for review to the Human Resources Department and approved by the City Manager's Office prior to October 5th. Each year, upon approval from the City Manager's Office, the Alternate Holiday Schedules will be forwarded to the Human Resources Department. Departments are required to inform all affected employees in writing of the Alternate Holiday Schedule, and post the schedule on all departmental worksite bulletin boards.
- C. Department Directors, managers and supervisors shall ensure the maintenance of accurate leave balances and leave records for their employees.
- D. Department Directors will discipline supervisors failing to properly charge leave to their employees or placing employees on leave without pay (LWOP) without appropriate authorization.
- E. Supervisors will be responsible for submitting time and attendance related documents to the Time Administrator as soon as possible. Department Directors must discipline supervisors and managers who demonstrate a pattern of late submission of time and attendance documents to the Time Administrators.
- F. Departments shall notify the Human Resources Generalist and/or Human Resources Specialist of Catastrophic and Military Leave related actions.
- G. Departments will monitor employees with 20 or more attendance points assessed. These employees will not be eligible for Incentive Leave.

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Human Resources Department

- A. The Human Resources Department, both centrally and through the Human Resources Generalists and Human Resources Specialists, will provide guidance regarding this administrative directive.
- B. The Human Resources Department will recommend annually to the City Manager the City's Holiday Schedule during the Budget Process to obtain City Council approval.
- C. The Human Resources Department will administer the Personal Leave Buyback Program.
- D. The Human Resources Department will review and file all Departmental Alternate Holiday Schedules. Copies of the Departmental Alternate Holiday Schedules will be forwarded to the Finance Department.
- E. At the beginning of the *fiscal year*, the Human Resources Department will coordinate with the Information Technology Services Department to credit the additional floating holiday for applicable *civilian employees* who have been assessed three (3) points or less for attendance (refer to Administrative Directive 4.2, Workplace Attendance) during the prior *fiscal year*.
- F. The Human Resources Generalists will assist in reviewing and resolving leave-related issues resulting from time and attendance actions beyond two (2) payroll cycles.
- G. The Human Resources Generalists will assist in reviewing requests for Catastrophic Leave request and Military Leave personnel actions.
- H. The Human Resources Specialist will process Incentive Leave hours.
- I. The Human Resources Generalists will assist in reviewing and coordinating the request for leave without pay (LWOP) in excess of 40 hours prior to submittal to the City Manager's Office.
- J. The Human Resources Specialist will coordinate the Extended Sick Leave, Workers' Compensation, Family and Medical Leave, and Military Leave.
- K. The Human Resources Specialist will delete any unused Catastrophic Leave hours from the employees participating in the Catastrophic Leave Program.
- L. The Human Resources Department will centrally file the employee acknowledgment forms in the employee's Permanent 201 File.

Time Administrators

- A. Time Administrators will maintain accurate leave records for all department employees.
- B. Time Administrators will correct and report leave balance errors to employees and supervisors as soon as possible. Errors that are past two (2) payroll cycles will be brought to the attention of the Human Resources Generalist for resolution of the payroll action.

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- C. Time Administrators will bring to the attention of their Department Director and Human Resources Generalist, supervisors or managers that fail to charge leave or who develop a pattern of late submission of time and attendance related documents.

This directive supersedes all previous correspondence on this subject. Information and/or clarification regarding this administrative directive may be obtained by contacting the Human Resources Department.

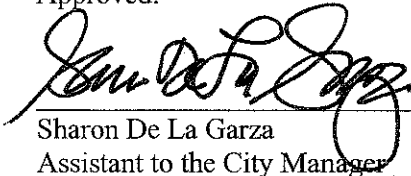


Edward Belmares
Human Resources Director

5/31/2007

Date

Approved:

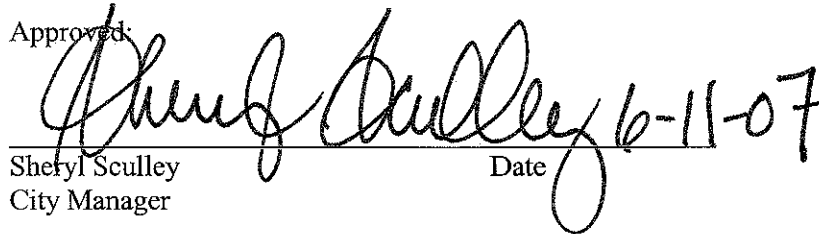


Sharon De La Garza
Assistant to the City Manager

6/6/07

Date

Approved:



Sheryl Sculley
City Manager

Date

Attachment



CITY OF SAN ANTONIO

EMPLOYEE ACKNOWLEDGMENT FORM FOR

ADMINISTRATIVE DIRECTIVE 4.4 Leave Administration

Employee:

I acknowledge that on _____, 20____, I received a copy of Administrative Directive 4.4, Leave Administration. I understand if I should have any questions I should contact my Human Resources Generalist.

Employee Name (Print)

Department

Employee Signature

SAP ID #